ANNEXURE.

APPOINTMENT OF SALARIED SHANBHOGS.

REPORT OF THE COMMITTEE APPOINTED TO CONSIDER THE QUESTION OF ABOLISHING THE PRESENT SYSTEM OF HEREDITARY VILLAGE SHANBHOGS AND OF SUBSTITUTING A PAID AGENCY THEREFOR.

Government in their Order No. R. 5619-22—L R. 371-28-30, dated 14th February 1930, appointed a Committee consisting of (1) the Revenue Commissioner as Chairman, (2) the Superintendent of Revenue Survey and Settlements, (3) the Deputy Commissioner, Kolar District, with one of the Assistants of the Revenue Commissioner as Secretary to the Committee to consider the question of abolishing the present system of hereditary shanbhogs and of substituting a paid agency therefor.

2. The terms of reference are that the Committee will be requested to study the problem with reference to one typical District in the first instance and submit a Preliminary Report of their views on the following points :—

(i) Whether it is necessary or desirable to change the hereditary system ;

(ii) and, if so, how the change can be introduced without appreciable additional cost to Government and with due regard to existing vested rights ?

3. Various dates were fixed for holding a meeting of the Committee but owing to the inconvenience of one or other of the Members, no meeting could be held before Mr. A. V. Ramanathan, Deputy Commissioner, Kolar District, went on leave in the month of May 1930. On the recommendation of the Chairman, that in view of Mr. A. V. Ramanathan's absence, a permanent Deputy Commissioner of standing and experience be appointed on the Committee, the Government sanctioned the appointment of Mr. K. V. Anantharaman, Deputy Commissioner, Mysore District, as an additional member in Government order No. R. 141-45—L. R. 371-28-33, dated the 8th July 1930.

4. The first meeting of the Committee was held on 19th July 1930 in the Revenue Commissioner's Office at 8-30 A.M., when the following members of the Committee were present :—

1. *Rajakaryapravina* P. G. D'SOUZA, ESQ., B.A., B.L., *Revenue Commissioner and Chairman of the Committee.*
2. D. SRINIVASA IYENGAR, ESQ., B.A., *Superintendent of Revenue Survey and Settlements.*
3. K. V. ANANTHARAMAN, ESQ., B.A., *Deputy Commissioner, Mysore District.*
4. B. NARAYANASWAMI IYENGAR, ESQ., B.A., B.L., *Deputy Commissioner, Kolar District.*
5. R. A. NARASIMHA AIYENGAR, ESQ., B.A., B.L., *Assistant to the Revenue Commissioner and Secretary of the Committee.*

5. A copy of the proceedings of the 1st Meeting which explains what was done in the meeting is enclosed as Appendix A to this report. It was decided therein that information should be obtained on the following points :—

(1) The practice in Bombay and Madras Presidencies regarding the appointment of this class of Village Officials and discussions in the Legislative Council relating to the present system.

(2) the extent of jurisdiction of each village accountant and the remuneration that is paid to him in these Presidencies ;

(3) whether the hereditary system in these Presidencies, gave place to a system of stipendiary appointment, and, if so, whether any compensation was paid to those possessing hereditary rights for extinguishing such rights and, if so, what was the basis adopted for computing such compensation.

It was further resolved that statistics should be collected for two Districts, *viz.*, Kolar and Mysore on the following points :—

(*a*) The total number of villages in each Taluk.

(*b*) The total number of firkas now existing, Talukwar.

(*c*) The number of Shanbhogs now employed.

(*d*) The total remuneration now paid.

(*e*) The highest and lowest remuneration that a Shanbhog gets in each Taluk and the average.

(*f*) The number of men required to be appointed to each taluk based on the area and Jamabandy of the proposed charge.

6. In pursuance of these resolutions references were made to the Secretary to the Government of Bombay and the Board of Revenue, Madras, and also to the Deputy Commissioners of Kolar and Mysore Districts for the required information. No *reply has yet been received from either Bombay or Madras. The statements containing the information called for from the Deputy Commissioners of Kolar and Mysore on points (*a*) to (*f*) are appended to this report (*Vide* Appendices B and C).

7. The Second Meeting of the Committee was held on 21st August 1930 at 9 A.M., in the Revenue Commissioner's Office when the following Members were present :—

1. *Rajakaryapravina* P. G. D'SOUZA, ESQ., B.A., B.L., *Revenue Commissioner and Chairman of the Committee.*
2. D. SRINIVASA IYENGAR, ESQ., B.A., *Superintendent, Revenue Survey and Settlements.*
3. K. V. ANANTARAMAN, ESQ., B.A., *Deputy Commissioner, Mysore District.*
4. A. V. RAMANATHAN, ESQ., B.A., *Deputy Commissioner, Kolar District.*
5. R. A. NARASIMHA IYENGAR, ESQ., B.A., B.L., *Assistant to the Revenue Commissioner and Secretary of the Committee.*

8. The first question taken up for consideration was whether it was necessary or desirable to change the hereditary system.

We have to consider this question in two aspects, *viz* :—

(1) what is the object of the change ?

(2) Is it possible to effect a change consistent with economy and efficiency having regard to the possibility or otherwise of getting the right kind of men for the place possessing the qualifications needed of a Shanbhog, such as, physical fitness, ability to read and write, willingness to live in rural parts, knowledge of accounts, etc.

9. The practice in the matter of the appointment of Shanbhogs in the adjoining Presidencies of Madras and Bombay is as follows :—

Madras.—The hereditary principle is in force in the major portion of the Madras Presidency except in a few Districts such as Tanjore, Trichinopoly, Salem, the Nilgiris, Malabar, South Canara, a few villages of Madura and parts of South and North Arcot where the hereditary principle does not seem to be in force in all its rigour. Still in the matter of making appointments to the office the choice is confined to the families of the original holders. A separate note is attached explaining the practice in the Madras Presidency (*Vide* App. F.)

Bombay.—In Bombay the appointment to the hereditary offices, of which the Shanbhog is one, is governed by Bombay Act III of 1875 (Hereditary Offices Act). The Collector of the District decides what persons are to be recognised as representatives to the office and registers their names under Sections 25 to 31 and after the registration, when the representative watandar dies, the village Patel reports the fact to the Collector and the Collector registers the name of the eldest son or other person who is the nearest relation of the watandar in place of the deceased watandar. Thus it is seen that the choice of a watandar, one of whom is the Shanbhog, is based on the hereditary principle. Section I para 2 of the Act states that the Act is in force in all the Regulation Districts of the Presidency. From a perusal of the Bombay Survey Settlement Manual Volume II, it is seen that the hereditary principle is not applicable, only in Guzarat and Konkan. Even in these two tracts though the Collector is empowered to select the best candidate for the office, he is expected to make the choice from among members of the family who had the right to hold the office. So even in places where the Law does not require the application of the hereditary principle in making appointments to the office of Shanbhog, the executive orders are to the effect that the best qualified from among the members of the family who held the right should be appointed. For further information on this point (*Vide* Appendix G.)

10. In considering this question the main point to be kept in view is what are the qualifications required of a Shanbhog. In the first place he must be a man with considerable local knowledge as he has to be fully conversant with the property and other rights of every inhabitant in the villages within his charge and it is therefore only a resident of the locality that will be best suited for the work. He must have a good working knowledge of Kannada and accounts. He must be able to write reports well. In the interests of efficiency, it is not desirable, even if possible, to transfer Shanbhogs from one place to another, as their efficiency will depend on their intimate contact with the people of the place which is derived by long association with them. Men in possession of the requisite qualifications are not likely to be attracted to these appointments on the present scale of remuneration. The reason why the present set of Shanbhogs are content with such low salaries, is the local influence they wield within their firka and other amenities that they enjoy. They have, besides these, other sources of income such as lands. If the Shanbhogi office is made stipendiary the stipendiary Shanbhog will not command the same advantages. He has no prospects for the future and cannot be transferred from place to place in the interests of efficiency. If a man proves

* Since received and printed as an annexure to the report.

incompetent or mischievous, the only course open is to dismiss him. Besides, the jurisdiction of a Shanbhog on a stipendiary basis will have to be considerably increased in order to keep down the cost as much as possible, consistent with efficiency. At present, the average remuneration of a Shanbhog per year ranges from Rs. 60 to Rs. 100 or thereabouts, in the several Districts, the Provincial average being Rs. 88.5. This works to 5 to 8 rupees per month including the allowance for stationery which the Shanbhog is expected to purchase himself. The Shanbhogi Service Inam lands are now fully assessed and are no longer treated as the emoluments of the officiator. They are alienable to persons belonging to the family of the hakdars and as such the officiator seldom enjoys the lands in full. They may devolve by partition, gift, inheritance, etc., on several members of the family.

11. For a stipendiary Shanbhog the lowest pay cannot be less than Rs. 20 per mensem and he will have to be given Rs. 10 per annum as stationery allowance, so that the cost for each Shanbhog would be nothing less than Rs. 250 per annum. To keep the cost to the present level, the Shanbhogi circle will have to be increased to at least four times its present size. From a perusal of the statements furnished by the Deputy Commissioners of the Kolar and Mysore Districts, it will be seen that the present average jurisdictions of Shanbhogs in these two Districts are 2.5 and 5 square miles respectively. If the cost is not to exceed the present level, the jurisdiction will have to be enlarged to 12 to 15 square miles. *This will be a great* handicap to the Shanbhog in obtaining that intimate local knowledge which is the *sine qua non* for the efficient discharge of his functions as such. But the average standard that should be adopted consistent with efficiency, even for stipendiary Shanbhogs, should not, in our opinion, be more than four to five square miles, for wet areas and eight square miles for dry areas and no Shanbhogi charge should have a revenue of more than Rs. 6,000 except where it is a single village. A stranger possessing the standard of qualifications that are required to make a good Shanbhog as observed above would soon become discontented with a fixed pay.

12. So, even if stipendiary Shanbhogs are to be appointed, the choice will have to be made from among members of the hakdar family possessing the requisite qualifications, as in Madras and Bombay. If the hereditary system is abrogated in the case of Shanbhogs, it cannot but have its effect on the appointments of other village servants such as the Patel and minor village officials whose appointments are now governed by the hereditary principle.

13. There is the further question as to whether the hereditary system can be abolished without compensation and if compensation is necessary, how it has to be assessed and distributed among the several members of the hakdar family. The Superintendent, Revenue Survey, who made some enquiry in the matter understands that in the Bombay Presidency having regard to the difficulty of distribution, a system of pensions has been devised which, like our Malnad Cash Grants, will be heritable and divisible among the members of the hakdar family. In our opinion it would not be equitable to abolish the hereditary system without some method of compensation. The simplest method seems to be to pay a certain proportion of the capitalized value of the Potgi. Even taking this on a moderate basis of 30 per cent of the capitalized value, taken at 20 years' purchase, the amount of compensation payable will come to Rs. 35,00,000. It will be obviously unfair to pay this amount to the actual officiators and elaborate enquiries will be necessary as to the rights of the various claimants to this amount including reversioners. If on account of devising a system of equitable apportionment a system of family pension is introduced it will involve the State in a recurring additional expenditure of 30 per cent of the amount now spent as Potgi. Even with all this additional cost, it is not likely that in the majority of cases any persons not belonging to the hakdar families will actually be selected to the appointment. Thus even after incurring this additional cost, the efficiency of the office may not be maintained at its present level as it would lead to the appointment either of inexperienced persons or of men selected from the hakdar family not having the prestige which the senior member of the family appointed under the present system is likely to command.

14. If the system is to be changed, to enable the Government, to have an idea of the actual cost involved in introducing the system of stipendiary Shanbhogs, figures have been worked out in respect of the Goribidnur and Mulbagal taluks of the Kolar District and the Seringapatam and Gundlupet taluks of the Mysore District by the respective Deputy Commissioners. Statements incorporating these figures are appended hereto (Appendices D and E). From the statements B and C, it will be seen that the cost involved for extinguishing the hak in the Kolar and Mysore Districts will be Rs. 5, 10, 516 and Rs. 6, 31, 475 respectively. The recurring extra cost with respect to Goribidnur and Mulbagal taluks will be about Rs. 2,450 and Rs. 825 per year respectively, and for Seringapatam and Gundlupet taluks Rs. 2,141-8-0 and Rs. 5,562-8-0 respectively. It is thus seen that both the recurring and non-recurring charges for effecting the change, which is of doubtful utility, will amount to a very considerable figure.

15. The Committee desire to record their appreciation of the valuable help rendered by Mr. R. A. Narasimha Aiyengar, B.A., B.L., Assistant to the Revenue Commissioner, in collecting the materials for and drafting the report.

P. G. D'SOUZA,
Revenue Commissioner.

APPENDIX A.

Proceedings of the first meeting of the Committee appointed in Government Order No. R. 5619-22—L. R. 371-28-30, dated 14th February 1930 as amended by Government Order No. R. 141-45—L. R. 371-28-33, dated 8th July 1930 for considering the question of the abolition of the present system of hereditary Village Shanbhog and substituting a paid agency therefor.

REVENUE COMMISSIONER'S OFFICE, DATED BANGALORE 19TH JULY 1930, 8-30 A.M.

Present.

1. *Rajakaryapravina* P. G. D'SOUZA, ESQ., B.A., B.L., *Revenue Commissioner and Chairman of the Committee.*
2. D. SRINIVASA IYENGAR, ESQ., B.A., *Superintendent of Revenue Survey and Settlements in Mysore.*
3. K. V. ANANTARAMAN, ESQ., B.A., *Deputy Commissioner, Mysore District.*
4. B. NARAYANASWAMI IYENGAR, ESQ., B.A., B.L., *Deputy Commissioner, Kolar District.*
5. R. A. NARASIMHA IYENGAR, ESQ., B.A., B.L., *Assistant to the Revenue Commissioner and Secretary.*

The Chairman explained the Government order referring the question to the Committee wherein the views of the Committee on the following points have been called for :—

(i) whether it is necessary or desirable to change the hereditary system,
(ii) and, if so, how the change can be introduced without appreciable additional cost to Government and with due regard to existing vested interests.

Then, there was a general discussion among the members, as to what information should be collected before definite conclusions could be arrived at and it was resolved that the following information should be obtained.

(1) The actual practice now obtaining in Bombay and Madras Presidencies regarding the appointment to this class of Village Officials and also any Legislative discussions in the matter which led to the present system.

(2) The extent of jurisdiction of each Village Accountant and the remuneration that is paid to him in those Presidencies.

(3) Whether the hereditary principle of appointment was in existence in those Presidencies or any portions thereof, prior to the present system, and if it has changed from the old one, whether any compensation was paid to those possessing hereditary right to buy off such rights and, if so, what was the basis adopted for computing compensation.

(4) Statistics to be collected for two Districts, *viz.*, Kolar and Mysore on the following points :—

(*a*) the total number of villages in each taluk,
(*b*) the total number of firkas now existing taluk war,
(*c*) the number of Shanbhogs now employed,
(*d*) the total remuneration now paid,
(*e*) the highest and lowest remuneration that a Shanbhog gets in each taluk and the average, and
(*f*) the number of men required to be appointed to each taluk based on the area and jamabandi of the proposed Circle of charge.

Date of next meeting 16th August 1930, 9 A.M., at Kolar.

P. G. D'SOUZA,
Chairman of the Committee.

To

The Members of the Committee.

APPENDIX B.

Statement showing the Particulars of Shanbhogi Firkas and their Remuneration, etc., in the Kolar District.

Name of taluk	The total No. of villages in the several taluks and sub-taluks	The total No. of Shanbhogi Firkas now existing in each of them	The total No. of Shanbhog now employed		Total remuneration now paid to them	The highest and the lowest remuneration to a single Shanbhog in each taluk		The average	What you consider to be the basison which the jurisdiction of a Firka of a stipendiary Shanbhog should be fixed. Whether it is to be on the area or the total jamabandy of the villages forming the Firka or both and what the extent and amount should be.
			No. of Registerdar Shanbhogs	No. of gumastas		Highest remuneration	Lowest remuneration		
					Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	
Kolar	263	143	110	72	10,155 0 0	309 12 0	1 12 0	82 4 0	The extent of the firka may be fixed with reference to area and Jambandy. All the places in the firka should be within a radius of 3 to 5 miles due regard being had to population and Jamabandy. The Jamabandy of the firka should not exceed Rs. 3,000.
Bowringpet	412	150	124	12	7,768 4 0	159 0 0	4 12 0	51 12 0	
Malur	267	139	140	36	7,179 0 0	193 0 0	8 12 0	52 7 10	
Srinivaspur	311	118	120	54	10,163 4 0	186 4 0	10 4 0	Not given.	
Vidlaghatta	239	114	112	43	7,327 6 0	197 0 0	4 0 0	64 0 6	
Chikballapur	204	87	87	33	5,824 7 0	143 4 0	12 8 0	61 0 0	
Sagepalli	205	72	97	25	6,683 8 0	203 12 0	13 12 0	69 0 0	
Goribidnur	224	129	129	49	9,050 14 0	163 8 0	12 4 0	76 0 11	
Chintamani	Information not received.								
Mulbagal									
Gudibanda									

B.—As per figures furnished by the Survey Superintendent, the number of firkas in the Kolar District is 1337 and the total potgi Rs. 85,086-3-0. Total area in Square miles—3326. Average remuneration per Shanbhog is Rs. 63. Average area of a firka is 2.5 sq., miles.

APPENDIX C.

Statement showing particulars of Shanbhogi Firkas in the Mysore District.

Taluks	Total No. of villages			Total No. of Shanbhogi Firkas	Total No. of Shanbhogs now employed	No. of registered Barawad Shanbhog	No. of Gumasta Shanbhog	Total remuneration now paid	Highest remuneration		Lowest remuneration		Average	Basis for fixing jurisdiction of each Firka	Area in Square miles
	Government	Inam	Total												
								Rs. a. p.		Rs. a. p.		Rs. a. p.	Rs. a. p.		
Mysore	136	31	167	53	53	31	22	6146 12 0	Huyilal	207 4 0	Nuggahalli	26 0 0	116 0 0	10 sq., mls. for dry parts and 5 sq. mls.. for parts wet	302·0
Yedatore	153	28	181	58	58	31	27	10,342 4 0	Katnalu	483 12 0	Alambadi kaval	16 8 0	178 0 0		238·0
Heggaddevankote ..	266	13	279	44	44	26	18	4,777 4 0	Eruvadi	274 8 0	Bargi	15 4 0	108 9 0		620·0
Gundlupet ..	158	1	159	101	101	60	41	6,437 8 0	Beramahalli	131 4 0	Vastilinganapura	7 4 0	63 12 0		547·6
T.-Narasipur ..	97	38	135	69	69	36	33	4,912 12 0	Bannur	257 12 0	T.-Narsipur	7 0 0	72 0 0		225.5
Mandya	279	23	302	110	102	58	44	10,284 0 0	Nagarkere	218 12 0	D. Hosahally	20 4 0	93 8 0		449.0
Seringapatam ..	194	19	213	86	86	25	61	10,108 8 0	Hosahalli	290 12 0	Mandibettahally	22 12 0	117 0 0		276.0
Krishnarajpete ..	333	42	375	86	86	46	40	11,889 4 0	Jainahalli	442 12 0	Rikkasandra	23 8 0	138 0 0		423.0
Malvalli	206	27	233	82	82	34	48	6,365 0 0	Doddarasinkere	199 8 0	Doddayalachagere	14 4 0	77 0 0		391·0
Nagamangala ..	341	26	367	51	51	34	17	7,915 8 0	Sathenahalli	192 0 0	Nagalapura	18 12 0	96 0 0		401.0
Chamrajnagar ..	165	29	194	113	113	84	29	8,754 0 0	Kengere	175 0 0	Sindanapur	16 40 0	77 0 0		475.0
Hunsur	220	10	230	44	44	21	23	5,702 0 0	Mullur	340 0 0	Govindanahalli	38 8 0	132 0 0		660.0
											Elloor	60 8 0	108 0 0		
Periyapatna ..	161	22	183	36	36	11	25	3,889 8 0	Kanagal	205 8 0	Chatra	5 12 0	70 0 0		378.0
Nanjangud ..	158	31	189	104	104	57	47	7,265 0 0	Kasaba	163 12 0					
Total ..	2867	340	3207	1068	1029	554	475	1,94,881 4 0	....		....		98 0 0	Average	5385

Average remuneration per Shanbhog now paid Rs. 98.
Average jurisdiction of a Shanbhog as at present - 5 sq. miles.

APPENDIX D.

Statement showing the probable number of Firkas into which the Hoblies in the Goribidnur and Mulbagal Taluks may be split up for Shanbhogi charges on an examination of the Jamabandy and area of the village.

	Taluk	Hobli	No. of Firkas	No. of Villages	Approximate area in Sq. miles	Jamabandy	Remarks
1.	Goribidnur	Kasaba	10	36	68	58,054	The sanctioned scale of potgi to the Shanbhogs of this taluk is Rs. 9,050.
2.	Do	Thondebhavi	7	37	48	29,548	
3.	Do	Dannaikanapalya	7	46	36	30,396	For 46 Shanbhogs at Rs. 250 each it will be Rs. 11,500.
4.	Do	Nagargere	7	34	43	35,467	
5.	Do	Hosur	8	37	51	37,269	
6.	Do	Manchenahalli	7	34	44	33,152	Extra cost Rs. 2,450 per year.
	Total ..	6 hoblies	46	224	290	2,29,886	
1.	Mulbagal	Kasaba	7	53	39½	37,252	Sanctioned scale of Potgi Rs. 9,225.
2.	Do	Byrakur	10	67	35¼	53,828	
3.	Do	Duggasandra	10	55	60	48,666	For 41 shanbhogs at Rs. 250-10,250 Extra cost Rs. 825.
4.	Do	Avani	8	60	54	44,708	
5.	Do	Thayalur	6	72	36	33,253	
	Total ..	5 hoblies	41	307	225	2,17,777	

APPENDIX E.

SERINGAPATAM TALUK.

1. Area of the Taluk .. .. 252.2 Square miles.
2. No. of villages .. .. 194 Government and 19 Inam.
3. No. of Shanbhogi Firkas at present .. .. 86.
4. Potgi and stationery allowance at present .. .. Rs. 10,108-8-0.
5. No. of charges at 10 square miles per Shanbhogi charge 25.
6. Proposed reconstitution of charge at about 10 sq. miles per firka.

Dry area.

1. Hirode Hobli consisting of 46 villages divided into .. 6 Firkas.
2. Melkote Hobli consisting of 46 villages divided into 5 Firkas.

Proposed reconstitution of charge according to Demand, i.e., Rs. 6,000 per firka.

Wet area.

1. Kasaba Hobli consisting of 18 villages divided into .. 9 Firkas.
2. Belagola Hobli consisting of 20 villages divided into 7 Firkas.
3. Arakere Hobli consisting of 35 villages divided into.. 8 Firkas.
4. Kyathanahalli Hobli consisting of 29 villages divided into .. .. 14 Firkas.

Total .. .. 49 Firkas.

7. Statement showing comparative cost.

Present cost		Future cost	
Rs. 10,108-8-0	Pay Rs. 49+20+12	Rs.	11,760
	Stationery allowance 49+10		490
	Total ..	Rs.	12,250

25 per cent increase.

GUNDLUPET TALUK.

1. Area of Taluk .. .. 544.13 Sq. Miles.
2. Villages .. .. 155 Government and 1 Inam.
3. No. of Shanbhogi Firkas at present .. .. 105.
4. Potgi and Stationery allowance at present.. .. Rs. 6,437-8-0.
5. No. of charges at 10 Sq. miles per Shanbhogi charge 55.
6. Proposed reconstitution of charge at about 10 sq. miles per Firka

1. Kasaba consisting of 38 villages divided into 12 Firkas.
2. Hangala consisting of 41 villages divided into 10 Firkas.
3. Begur consisting of 39 villages divided into .. 15 Firkas.
4. Terakanambi consisting of 38 villages divided into .. 11 Firkas.

Total .. .. 48 Firkas.

7. Statement showing comparative costs :—

Present cost		Future cost	
Rs. 6,437-8-0	Pay 48+20+12	Rs.	11,520
	Stationery allowance 48+10		480
	Total	Rs.	12,000

100 per cent increase.

APPENDIX F.

Letter No. B. P. Misc. No. 2754, dated 23rd September 1930 from the Secretary, Board of Revenue, Land Revenue and Settlement, Madras, to the Revenue Commissioner in Mysore, Bangalore.

Reference.—Your letter No. C. 3236—29-30, dated 1st August 1930.

Subject.—Village Accountants—appointment—system—Madras Presidency.

With reference to your letter quoted above, I am to furnish the following information :—

2. As will appear from the preamble to Regulation XXIX of 1802, the office of the Village Accountant is one of great antiquity in this Presidency. For the first time the office was placed on a statutory basis by that Regulation in all the permanently settled estates and continued to be governed by the Regulation in the matter of succession and punishment till it was superseded by Act II of 1894. The latter Act was extended to proprietary estates from time to time. Since 1909 it has been in force in all the estates in the Presidency.

3. In areas not permanently settled the Accountants were placed under the immediate authority of the Collector and his subordinates by Regulation II of 1806. In 1831, a Regulation was passed to oust the jurisdiction of Civil Courts and to declare the emoluments attached to the Accountant's office inalienable and provision was also made in it for the recovery of the office or emoluments by suit before the Collector. It was repealed by Act III of 1895 which now governs the hereditary office in Government villages. It came into force on 1st October 1895.

4. Broadly speaking the Village Accountants in proprietary estates whether hereditary or non-hereditary, are governed by Act II of 1894 and the rules framed thereunder, which regulate their appointment, succession and punishment. In raiyatwari tracts in which the office is hereditary it is governed by Act III of 1895 and the rules made thereunder. The Acts are printed in Volume II—Madras Code—and the rules will be found in the Board's Standing Order Volume II. Both these Acts have been recently amended by Act VII of 1930, a copy of which I herein enclose. In the case of Government villages in which the office is non-hereditary, the provisions of Act III of 1895 are followed as far as practicable. In this connection, I am to invite your attention to Chapter XIV of B. S. O. in general and S. O. 156 in particular.

5. Prior to Regulation XXIX of 1802, vacancies had to be filled up by the proprietors of permanently settled estates by choosing the heir of the preceding Karnam who was next to him according to the order of succession of several grades of legal heirs and not those in the order of succession to undivided divisible ancestral property. Persons aggrieved by the appointment made by the proprietor had to sue in a Civil Court. The Accountant could not be dismissed without the order of the Civil Court. A different set of provisions has, however, been introduced in Act II of 1894—*Vide* Section 9, 10, 11, 16 of Act II of 1894. A suit lies under Act III of 1895 in the matter of hereditary offices in proprietary villages also.

6. Generally speaking, the trend of the legislation has been to lighten the control of Government over village officers in both proprietary and raiyatwari tracts. The hereditary principle has not been interfered with wherever it exists. Statutory provision is also made in Act II of 1894 and III of 1895, for the registration of minors and appointment of deputies in the case of hereditary offices. Previously they were regulated by custom.

Educational qualifications and sex bar were also introduced by the existing Acts.

7. The pay of the Accountant in Government villages is generally Rs. 14. The pay in proprietary villages ranges from Rs. 7 to 11 according to the beriz of each village—*Vide* B. P. 24 Press, dated 20th April 1927.

8. Money salaries were introduced in raiyatwari tracts a long time ago and in proprietary villages on the extension of Act II of 1894 to each estate. On their introduction, the inams held by village Accountants were enfranchised by the imposition of quit-rent. In raiyatwari tracts, the rate of quit-rent charged was $\frac{1}{8}$th of the full assessment on the land till 1903 and the full assessment thereafter. In proprietary areas the quit-rent charged was the full assessment. Village Cess which used to be collected in both the raiyatwari and proprietary areas was subsequently abolished.

(True Extract.)

GOVERNMENT OF MADRAS.

LAW (LEGISLATIVE)—DEPARTMENT.

G. O. No. 335, 28th May 1930.

Acts.—The Madras Village Offices (Amendment Act 193 Assent of His Excellency the Viceroy and Governor-General—Publication as Act VII of 1930.

READ.—The following paper:—

From the Government of India, Legislative Department, dated 13th May 1930, No. 77—III-30-P.

ORDER No. 335, LAW (LEGISLATIVE), DATED 28TH MAY 1930.

The order of His Excellency the Governor directing the publication of the assent of His Excellency the Governor-General to the Madras Village Offices (Amendment) Act, 1930 is annexed to these proceedings.

2. The Act will be published in the *Fort St. George Gazette* in English and in the Tamil, Telugu, Kanarese and Oriya languages.

(By order of the Governor in Council).

J. VENKATANARAYANA,
Secretary to Government.

To

The Superintendent, Government Press.
The Secretary, Legislative Council.
The Revenue Department.
The Senior Translator to Government.
The Collector of Ganjam.
The Law (Drafting) Department.

ANNEXURE.

ORDER OF HIS EXCELLENCY THE GOVERNOR.

Under Section 81 (3) of the Government of India Act, His Excellency the Governor directs the publication of the assent of His Excellency the Governor-General to the Madras Village Offices (Amendment) Act 1930.

APPENDIX.

Act of the Local Legislature of Madras.

In pursuance of the provisions of sub-section (3) of Section 81 of the Government of India Act, the following Act of the Local Legislature of Madras, having been assented to by the Governor on 31st March 1930 and by the Governor General on the 10th May 1930, is hereby published for general information.

Act No. VII of 1930.

An Act to amend the Madras Proprietary Estates' Village Service Act, 1894, and the Madras Hereditary Village Offices Act, 1895.

PREAMBLE.

Madras Act. II of 1894. Madras Act, III of 1895.

Whereas doubts have been entertained as to the intention and meaning of some of the provisions of the Madras Proprietary Estates' Village Service Act 1894, and the Madras Hereditary Village

Offices Act of 1895; And whereas it is expedient to remove those doubts; it is hereby enacted as follows:—

SHORT TITLE.

1. This Act may be called the Madras Village Offices—(Amendment) Act 1930.

Madras Act. II of 1894.

2. In the Madras Proprietary Estates' Village Service Act, 1894—

AMENDMENT OF MADRAS ACT II OF 1894.

(i) for the last sentence of Section 13, the following sentences shall be substituted, namely:—

"If the person registered as heir under this Section remains disqualified under sub-section (1) of section 10 for three years after attaining majority he shall be deemed to have forfeited his right to the office. On such forfeiture or on his death, the vacancy shall be filled up in accordance with the provisions of this Act, as if he was the last holder of the office"; and

(ii) in section 15, after sub-section (3), the following sub-section shall be inserted, namely:—

"(4) Notwithstanding anything contained in sub-section (1) or sub-section (2), no person shall be deemed to be ineligible for selection under sub-section (1) or retention under sub-section (2), by reason only of his being a minor. If a minor is selected under sub-section (1) or retained under sub-section (2), he shall be registered as the holder of the office and thereafter the procedure laid down in section 13 shall be adopted."

Madras Act. III of 1895.

3. In the Madras Hereditary Village Offices Act 1895.

AMENDMENT OF MADRAS ACT III OF 1895.

(i) after sub-section (2) of Section 6, the following sub-section shall be inserted, namely:—

"(3) Notwithstanding anything contained in sub section (1) or sub-section (2) no person shall be deemed to be ineligible for selection under sub-section (1) or retention under sub-section (2) by reason only of his being a minor. If a minor is selected under sub-section (1) or retained under sub-section (2), he shall be registered as the holder of the office and thereafter the procedure laid down in sub-section (5) of section 10 shall be adopted."

(ii) for the last sentence of sub-section (5) of section 10, the following sentences shall be substituted, namely:—

"If the person registered as heir under this sub-section remains disqualified under sub-section (1) for three years after attaining majority, he shall be deemed to have forfeited his right to the office. On such forfeiture or on his death, the vacancy shall be filled up in accordance with the provisions of this section as if he was the last holder of the office"; and

(iii) for the last sentence of sub-section (4) of section 11, the following sentences shall be substituted, namely:—

"If the person registered as heir under this sub-section, on attaining majority, proves to be disqualified under clause (c) of sub-section (1), he shall be deemed to have forfeited his right to the office. On such forfeiture or on his death the vacancy shall be filled up in accordance with the provisions of this section as if he was the last holder of the office."

APPENDIX G.

NOTE.

THE SYSTEM OF WATANDAR KULKARNIS AND THEIR RECENT REPLACEMENT BY TALATIS.

The Kulkarnis or the Village Accountants were in existence from ancient times and they were the most important functionaries in the village administration next to the Patel or the village headman. Before the introduction of British rule, there were no definite rules as regards appointment or recruitment of these officers but the service was regarded as hereditary from father to son. The sources from which these officers were remunerated were generally three:—land for the most part exempt from rent, direct levies in cash and kind from raiyats or compensation paid by Government in lieu thereof and cash payments from the Government Treasury. On the introduction of British rule, the rights of these hereditary officers were duly recognised and instead of these functionaries being subject to the arbitrary will of the rulers for the time being, they were gradually brought under the sway of written regulations and fixed law. In Regulation XVI of 1827, Chapter III dealt with Hereditary village officers including accountants in which certain rules for appointments, dismissals, etc., of the hereditary officers were first framed. The need was, however, felt before many years for new enactment to regulate the services of the hereditary officers, and to secure the efficient discharge of their duties by hereditary officers, for the performance of which so large a portion of State property had been assigned to these watandar families. For this purpose Act XI of 1843 was passed. The Act continued in operation for more than 30 years. During that period the watandar families under the peaceful security of the British Government, rapidly expanded, and the systematic procedure which was the outcome of equitable Government, soon gave rise to a practice of selecting the officiator in hereditary offices by rotation. This practice was the result of the attempts made by Collectors and District Officers to do justice to all the fit members in each family, who claimed the right of service. Thus service by rotation gradually obtained more and more recognition. Section XI of Act XI of 1843 for the first time introduced the system of accepting deputies in certain contingencies for service in hereditary offices. At length the number of claimants grew so great and disputes between members of the watan families became so numerous and interminable, that further legislation was deemed necessary especially for determining the rights of the several parties to officiate. Thus the present Act VII of 1874 was passed. Part VI of this Act regulates the procedure regarding representative watandars. The rule is that the duties appertaining to any hereditary office are to be performed by the registered watandars or by deputies (substitutes) appointed under the provisions of Part VII and by no other persons (Section 24). Accordingly the Collector registered the names of Representative Watandars for each hereditary office and also fixed—where necessary the rotation in which they were to serve in accordance with the principles laid down in Chapter VI. The procedure for appointment and the period of service are regulated by Part VII of the Act. This procedure was uninterruptedly in vogue in regard to the appointment of hereditary accountants till 1914 when for reasons shown below action in the way of doing away with these Kulkarnis was started.

It had been brought to the notice of Government that the revenue officers were generally dissatisfied with the system of hereditary kulkarnis. Experience showed that the watandars were wanting in intelligence, education, industry and honesty requisite for the proper discharge of their duties. As the administration improved and became more complex, it became continuously more difficult to get an adequate return of work from the Kulkarnis. Under the hereditary system, in the majority of the cases, the man who received the remuneration was not the man who did the work. The latter was generally a 'Gumasta' to whom he paid a premium or 'Swamitva' which ranged up to half the Mushahira or remuneration of the appointment. The worker was thus inadequately paid and this resulted in bad work, in underhand dealings and illegal exactions from raiyats.

The hereditary system was also troublesome because the employment of watandars necessitated much work (*a*) in maintaining watan registers and settling disputes regarding entries and (*b*) in making frequent appointments according to a procedure involving in many cases a quasi-judicial enquiry with consequent appeals. The system of distributing work according to ancient hereditary rights of service with practically no regard to the capacities of the workers, the nature of the work or the inadequancy of the remuneration in several cases tended only to inefficiency. These ancient rights conflicted with the rights of the public to have the public service efficiently administered through a well selected, properly trained and adequately paid subordinate staff.

Government therefore thought it necessary to replace these hereditary Kulkarnis by stipendiary Talatis. As a measure towards attaining this object, instead of at once going in for legislation for compulsory commutations of the watans, a large body of Representative Watandar Kulkarnis were persuaded to apply voluntarily for commutations under section 15 of the Watan Act of their right of service in the watans held by them.

The conditions on which the commutations of the right of service were allowed are as under :—

(1) Subject to the payment of full assessment leviable from time to time under the Bombay Land Revenue Code, 1879, or any other law for the time being in force or, in cases where the amount of jodi leviable is less than the amount of the full assessment, subject to the payment of such jodi not exceeding the amount of the full assessment as shall, from time to time, be leviable under the orders of the Government, the watan lands should be continued hereditarily as watan lands without demand of service to the present lawful holders and their male heirs, lineal, collateral or adopted (from within or outside the watan family) within the limits of the watandar family, so long as any such male heir was in existence.

(2) A cash allowance of ¾ of the Akarani (remuneration for collecting land revenue) and of the potgi (maintenance allowance) paid for the year 1913-14, should be paid in perpetuity to the representative watandar and his said heirs or, if there are more than one representative watandar to them and to their said heirs, in proportion to their shares.

(3) Where the cash allowance or a part thereof amounts to a fractional part of a rupee, Government should have the right of compulsorily purchasing the fractional part by the payment of 20 times the amount, provided that if the odd fraction equalled or exceeded 14 annas, the recipient was to be permitted to purchase the difference to make up the rupee at the same rate.

(4) The said lands and cash allowances were to be subject to the provisions of clause (*a*) of section 5 and of sections 10, 11, 11-A and 12 of the said Act. Provided that on an application in writing by a holder of the said lands or cash allowance the Collector could, at any time, order that the said provisions shall not apply to such lands or cash allowances and the order of the Collector would be endorsed on the sanad.

(5) The holders of the said lands and cash allowances and their said heirs and successors should continue faithful subjects of the British Government.

(6) No nazarana or other demand on the part of Government should be imposed on account of the succession of the said heirs whether lineal, collateral or adopted.

(7) The holders of the said lands and cash allowance and their said heirs should have the general privilege of adopting at any time without restriction as to family any person who can be legally adopted.

(8) Succession to the Kulkarni watan land and cash allowances was to be governed by the law of the parties, *viz.*, the ordinary Hindu or Mahomedan law, provided that section 2 of Act V of 1886 would apply to the said lands and that its application to cash allowances would be limited to cases in which commutation was effected subject to the terms of the Watan Act.

The Representative Watandars who agreed to accept these conditions and to sign the necessary agreement were relieved in perpetuity of their liability to perform service under section 15 of the Watan Act. The villages in which this commutation of the right of service had taken place were then grouped into sazas (the charge of a talati) and talatis were appointed to the sazas.

In cases where it was found that all the Representative Watandars did not consent to the commutation, it was ordered with the consent of the consenting Representative Watandars that during the period or their turn of service, talatis should be appointed.

The Scheme for appointment of Talatis to Sazas within the limits of which commutation with the watandars had been effected, was introduced with effect from 1st November 1914 and commutation allowances were ordered to be paid to the consenting Representative watandars in fully commuted villages with effect from that date.

Those watandars who were efficient were themselves appointed Talatis ; in other cases their sons and relations were also appointed Talatis if otherwise qualified.

In villages in which commutations have not been effected hereditary kulkarnis are still serving.